Horticultural Research and Development Corporation Bill 1987

Date Introduced: 18 September 1987
House: House of Representatives
Presented by: The Hon. Barry Jones, M.P., Minister representing the Minister for Primary Industries and Energy

Digest of Bill

Purpose
To establish a Horticultural Research and Development Corporation with the object of improving the efficiency and competitiveness of Australian horticultural industries.

Background
Refer to the Digest of the Australian Horticultural Corporation Bill 1987.

Main Provisions
Horticultural products are defined in clause 3 to mean fruits, vegetables, nuts, nursery products, cut flowers and foliage and products in a prescribed class.

Clause 4 will establish a Horticultural Research and Development Corporation (HRDC).

The objects of HRDC’s establishment will be to improve the efficiency and competitiveness of Australian horticultural industries; to develop an awareness by these industries of the contribution that can be made by research and development (R&D) to this end; to make more effective use of resources available for R&D; and to ensure sound accountability for R&D expenditure (clause 5).

Clause 6 contains HRDC’s functions, which include to prepare and revise a five year R&D plan; prepare annual R&D programs; carry out, and co-ordinate and fund the carrying out of, R&D projects; and to provide reports on R&D projects to the Minister and prescribed horticultural industry bodies.

HRDC will be empowered to do all things necessary or convenient for the performance of its functions, including applying for and dealing with patents; charging for its work, services, goods and information; making agreements for R&D projects to be carried out by itself or others; and acting as trustee of money and other property vested in it on trust. However, HRDC is not to enter into contracts for the purchase of property with a value exceeding $100,000 (or such higher amount as is prescribed)
without the written approval of the Minister (clause 7).

Division 2 of Part II of the Bill (clauses 11 to 26) will provide for the constitution and meetings of HRDC. HRDC is to be a corporation and is to consist of a Chairperson, a government member, an executive director and six other members. The remainder of the Division contains the standard clauses relating to appointments, remuneration, resignations, etc.

Clause 27 deals with the R&D plan. In consultation with eligible horticultural industry bodies, HRDC is to prepare a R&D plan, to be reviewed and revised at least annually and at any other time on HRDC’s initiative or at the Minister’s request. The plan and its revisions will only have effect with the Minister’s written approval.

Similar provisions will apply to the annual R&D program which is to detail the proposed R&D projects for that year, the estimated cost of the projects and describe the additional classes of projects (if any) that are being considered for the year. The annual program is to be prepared for the first year to which the R&D plan applies (clause 28).

Clauses 32 to 43 deal with the duties, and terms and conditions of employment of the Executive Director and contain the usual provisions relating to remuneration, disclosure of interests etc.

HRDC will be partly funded from amounts received by the Commonwealth from proposed horticultural levies and export charges. Provision is made for appropriation from the Consolidated Revenue Fund of an equal amount (clause 46). The Commonwealth is to pay an amount equal to half of HRDC’s expenditure to a limit equal to the amount of the levy and collection charge less any amount refundable to the Commonwealth under Horticultural Levy Collection Bill 1987 and the Horticultural Export Charge Collection Bill 1987 (clause 47).

Clauses 49 to 52 deal with HRDC’s expenditure, accounts, borrowing and raising of money, guarantees and securities with provisions similar to those in the proposed Australian Horticultural Corporation Bill 1987. By clause 53, the provisions of the Audit Act 1901 applying to public authorities will apply, and HRDC will be subject to Commonwealth taxation (except for income tax) laws and, where provided for by regulations, to specified State or Territory taxation laws (clause 54).

HRDC will be able to establish committees to assist in the performance of its functions (clause 55).

Clauses 56 and 57 provide that HRDC and the Executive Director, respectively, may delegate powers, except the power of delegation, to specified entities.

A Horticultural Research and Development Corporation Selection Committee will be established by clause 58, to nominate persons to the Minister for appointment as members of HRDC (clause 59). The power to do all things necessary or convenient for the performance of its function, nominations procedure, constitution, meetings, employees and consultants, and delegation of powers of the Selection Committee are provided for in clauses 60 to 81.
The Governor-General will be able to make regulations consistent with this Bill (clause 82). The regulations may empower the Minister to make orders except orders prescribing penalties (clause 83).

For further information, if required, contact the Economics and Commerce Group.

Bills Digest Service
6 October 1987

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

© Commonwealth of Australia 1987

Except to the extent of the uses permitted under the Copyright Act 1968, no part of this publication may be reproduced or transmitted in any form or by any means, including information storage and retrieval system, without the prior written consent of the Department of the Parliamentary Library. Reproduction is permitted by Members of the Parliament of the Commonwealth in the course of their official duties.